

JEFFERSON COUNTY COMMISSIONERS
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
November 27, 2007**

Present: Commissioners Lythgoe, Notbohm and Weber; Joe Carter, Road Supervisor; Mike Hoffman, County Planner; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Marga Lincoln, *Helena Independent Record*; Tara Mastel, JLDC

MINUTES

Commissioner Weber moved to accept the minutes of November 6, 2007. Commissioner Lythgoe seconded. The motion carried.

CALENDAR REVIEW

11/28 Pre-bid meeting - Great West - 10:00
JLDC - Whitehall
Jefferson Watershed - Twin Bridges - 6:00
11/29 Zoning Commission - 4:00
11/30 RS2477 Conference - Great Falls
12/03 Library Building Committee - 6:30

COMMISSION REPORTS

LEPC

Commissioner Weber reported that he attended the LEPC meeting that morning. There will be no December meeting.

CENTER FOR MENTAL HEALTH

Commissioner Lythgoe reported that he attended the Center for Mental Health meeting in Great Falls the previous day. He did find out that Mike McLaughlin, who has been there 30 years, is retiring in March. They are beginning an internal search for his replacement.

ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

SOUTH HILLS RID

Commissioner Notbohm stated that at road meeting held several weeks ago, he brought forward overages allowed to Bullock Construction. This was discussed at the road meeting, but was not brought up to a Commission meeting and voted on. He thinks that before they are paid out, they need to go through the process and have a valid vote on them. Commissioner Weber asked if he is referring to the change order. Commissioner Notbohm stated that he is. They aren't supposed to be voting on things at Road meetings, and these weren't voted on. Commissioner Lythgoe stated that they have already been paid. Commissioner Weber stated that he is aware of this, and asked Commissioner Notbohm if he is requesting that in the future change orders come to a Commission meeting. Commissioner Notbohm that they should always be brought to a Commission meeting to be voted on and discussed in public. They amounted to \$70,000 to \$75,000, and it was never discussed; they were just paid.

Commissioner Lythgoe stated that the total amount over the contract was right at \$10,000. There may have been some change orders that contingency funds were able to take care of. Change orders are an administrative decision. If there is money in the contract to pay them, it doesn't need to come to the Commission to take care of. If they go over the contract amount, it may be a matter for discussion. Commissioner Notbohm stated that he respectfully disagrees. Change order is exactly what it says. If you change the job and are allowing more money for it, it is a change order. Some of it very well was probably justified, but it needs to be discussed and then voted on. The Commission as a whole needs to know about these and discuss them and the public has a right to know. After all, it is a public project. Commissioner Weber stated that it certainly is a public project; can't see why couldn't bring up. Commissioner Lythgoe stated that this is an administrative decision and no different than other budgets – you are able to move money around within the budget as long as you don't go over the budget. It was totally in the purview of this contract and totally appropriate for them to spend the money, up to and including the contingency without any further consideration or discussion by the Commission. As far as discussing the change orders, they had several discussions regarding them. If some feel that over and above the contract those change orders should be brought before the Commission, then that is a separate issue. However, there was no \$70 to 80,000 over in change orders that should have come before the Commission. It was an administrative decision because there was money in the contract to take care of them.

Commissioner Weber stated that he sees no problem with bringing these forward as correspondence. He agrees that we didn't go over budget or change drastically the scope of the project. Commissioner Lythgoe stated that his point is that nothing inappropriate done here. Commissioner Notbohm stated that he disagrees that we didn't go over budget; we certainly did. The way we conduct business is very important to be open. Both Commissioner Weber and Commissioner Lythgoe agreed that the way the Commission conducts business is very important. Commissioner Notbohm asked if we are done with the project yet. Joe stated that at this time, we are done with what we can do, due to the weather. There is some cleanup to finish, as well as the seeding. Commissioner Notbohm stated that our crew spent a lot of time and prepping for the job, using our time and equipment, which puts us grossly over budget. Joe stated that it was not in the original contract that the contractor would do the cleanup and prep work. From the beginning, it was known that the county would do the prep work, clear trees and do the clean up.

It is a county road, and he wouldn't have been there if it wasn't a county road. Commissioner Notbohm stated that it was to be considered a county road when the project was completed. He asked if they still have to do the chip seal on South Hills Drive. Joe stated that he needs to check with Great West on that, if it is in the contract. Commissioner Weber stated that he thinks it is part of the RMD process.

SUBDIVISION REVIEW

REQUEST FOR EXTENSION - TRAVIS CREEK MINOR SUBDIVISION

Commissioner Weber read a letter from Ken DeRosier. Mike Hoffman, County Planner, presented his staff report for this one-lot minor split. The parcel contains 22.85 acres and it is proposed to split the parcel into two lots, 1.28 acres and 21.57 acres in size. He stated that the developer has submitted a written request for a one-year extension of preliminary plat approval. Mike recommended that a one-year extension be granted. Commissioner Notbohm moved to grant a one-year extension on preliminary plat. Commissioner Weber seconded. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

RESOLUTION 34-2007 JOINT RESOLUTION WITH THE TOWN OF WHITEHALL IN SUPPORT OF AFFORDABLE HOUSING

Tara Mastel, JLDC Manager and MSU Extension agent for economic development, stated that she is here to request Commission support for the affordable housing development in Whitehall. Commissioner Weber stated that as he understands it from Barbara, Whitehall's situation is even more extreme than Boulder's, in regards to the availability of affordable housing. Tara stated that she has data from a realtor showing that housing that is available in Whitehall is not attainable by the average household in Whitehall. The average household in Whitehall makes just about \$40,000/year, and that average household could afford to buy a house that cost \$114,000. The average cost of a home in the Jefferson Valley is just under \$300,000. If you look at just the town of Whitehall, the average cost is \$215,000. There is a huge gap there, and we need to get some housing built that is in an affordable range.

Commissioner Notbohm stated that he understands that there is some land that has become available. Tara stated that NAHN has a buy-sell on 11 acres adjacent to the town of Whitehall. Larger parcel of land, so there would be the availability of mixed income housing, with both larger and smaller lots available. The land would most likely be annexed into the city limits after subdivision. There are some challenges with the property, such as two roads that would need some major upgrading.

Commissioner Weber asked if she has approached the city council with this yet. Tara stated that she has. Commissioner Lythgoe commended Tara on the job that she has been doing. Tara stated that when Barbara spoke at the town last, she was getting significant pressure from

Madison County to bring the program there. Madison County is offering the use of their grant writer. We may need to provide some more assistance to make it easier to work in Jefferson County. Commissioner Weber stated that he was very surprised to hear just how little housing is available in that area, in any price-range. He thinks that the Commission has stepped up and said how we feel about affordable housing projects.

Commissioner Weber moved to enter into the joint resolution with the town of Whitehall to support the affordable housing project. Commissioner Lythgoe seconded. The motion carried. The Resolution is on file in the Clerk and Recorder's office.

DISCUSS AND DECIDE ON PURCHASING HISTORICAL SIGN FOR THE COURTHOUSE

Commissioner Weber read an e-mail from Caroleen Vaughn regarding a sign noting that the courthouse is on the National Register of Historical Places. He asked Bonnie to do some research regarding this, as there was some thought that the courthouse was no longer on the register due to a window upgrade in the 1990s. It was noted that research shows that the courthouse is still listed on the National Register.

Commissioner Weber asked if anyone knows for sure if we can proceed with this. Commissioner Lythgoe stated that all we have to do is call and ask if we are still on the register. He would assume that if we are still listed, we are still on there.

Commissioner Weber stated that it seems like a pretty straight-forward proposition when it first came in and was put on the agenda; seems not so much now. Commissioner Notbohm stated that no question that it is an historical building. Commissioner Lythgoe stated that we will find out real quick if we are or not when we submit the application.

Commissioner Lythgoe moved to pursue purchase of the sign, filling out the application to the Montana Historical Society, with the money coming from the general fund. Commissioner Weber seconded. The motion carried.

DISCUSS AND DECIDE ON EXPARTE POLICY

This item has been tabled until a future meeting, at the request of the County Attorney. We will wait until he requests this be put back on the agenda.

DISCUSS FORMING A COUNTY-WIDE RESOURCE ADVISORY COMMITTEE

Commissioner Weber stated that he put this on the agenda. He recently attended the Stewards of the Range conference in Reno. All federal and state agencies use RACs, and use them to fine-tune the decision making process for lands that they manage. It makes sense that we use a RAC to fine-tune our decision making process for lands that we manage and in working with state and federal agencies. A RAC could spend time on all of the issues related to resource management and help us to have a good base to come from when we are having these discussions. He would like to have a wide variety of people on the committee.

Commissioner Lythgoe stated that it sounds like a good idea, if we can get people to serve. Commissioner Notbohm stated that he also thinks it would be a good idea. Some thought would need to go into the meeting logistics and funding for mileage should be considered. Commissioner Weber stated that he feels we should approach a wide variety of people – timber, mining, wilderness, tourism, etc. He agrees that it will take a lot of discussion and thought to make sure that we do this right. This group will make a difference in our dealing with state and federal agencies. Commissioner Weber stated that he will continue to move this forward, and asked that the others be thinking about this and how to do it.

CANCEL UNCALLED FOR WARRANTS

Commissioner Weber stated that this is a yearly housekeeping that we need to go through. The Clerk and Recorder's office needs to cancel the warrant if it is not cashed in a certain period of time. The Clerk and Recorder presented a list of warrants that have not been processed. (List on file in the Clerk and Recorder's office.) Commissioner Lythgoe moved to cancel. Commissioner Notbohm seconded. The motion carried.

DISCUSS AND DECIDE ON CLOSING COUNTY OFFICES AT NOON ON DECEMBER 24

Kellie Doherty, Personnel Officer, requested that this be put on the agenda. She has received several phones calls from different offices with questions as to if we will be closing early or at all on Christmas Eve. If the Commission decides to close early, they need to send staff home with pay. Commissioner Weber asked how many offices have contacted her. Kellie stated that she has heard from three. Commissioner Notbohm moved to close all county offices at noon on the 24th. Commissioner Lythgoe seconded. The motion carried.

Commissioner Lythgoe moved to adjourn. Commissioner Weber seconded. The motion carried.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

KEN WEBER, CHAIR

TOMAS E. LYTHGOE, COMMISSIONER

CHUCK NOTBOHM, COMMISSIONER